

REMARKS/ARGUMENTS

Upon entry of the above amendment, claims 24, 25, 30, 33 and 34 will have been amended. Thus, claims 24-26, 28, and 30-34 remain pending for consideration by the Examiner.

In view of the above, Applicants respectfully request reconsideration of the outstanding objections and rejection of all the claims pending in the present application. Such action is respectfully requested and is now believed to be appropriate and proper.

Initially, Applicants would like to express their appreciation to the Examiner for the detailed Official Action provided, and for an indication of the allowability of claims 28, 31 and 32 in the present application. Claims 28 and 31 have been amended to enhance clarity without substantially changing the scope thereof and without affecting the Examiner's indication of allowability.

Turning to the merits of the action, the Examiner has rejected claims 24-27, 29-30, and 33-34 under 35 U.S.C § 102(e) as being anticipated by SAITO et al. (U.S. Patent No. 6,618,749).

As noted above, Applicants have amended 24, 25, 30, 33 and 34. Thus, claims 24-26, 28, 30-34 remain pending for consideration. Applicants also note that claims 28 and 31-32 have been allowed by the present amendment. Thus, Applicants respectfully traverse the above rejection based on pending claims 24-26, 30 and 33-34, and will discuss said rejection with respect to the pending claims in the present application as will be set forth hereinbelow. The amended claims merely clarify the subject matter recited in the rejected claims, but do not narrow the scope of the invention.

Applicants' claims 24-26 and 33 relate to a server apparatus connected with a transmitting Internet facsimile apparatus and with a receiving Internet facsimile apparatus via the Internet. The server apparatus includes a memory configured to store reception capabilities regarding a type of facsimile data that the receiving Internet facsimile can receive. The reception capabilities are distinct from the facsimile data. The server apparatus includes a controller configured to receive facsimile data from the transmitting facsimile apparatus. The received facsimile data is data that has been converted into an Internet transmission format. The controller transforms the received facsimile data into a type of facsimile data that the receiving Internet facsimile apparatus can receive, based on the stored reception capabilities of the receiving facsimile apparatus, and transmits transformed facsimile data to the receiving facsimile apparatus. The transformed facsimile data is data that has been converted into the Internet transmission format. Claim 30 recites a related method.

In direct contrast, SAITO et al. relates to an Internet facsimile which determines whether a received e-mail is a failure mail or a delivery status notification mail. The Internet facsimile of SAITO et al. extracts, from the received e-mail, information necessary for output when the received e-mail is determined to be the failure mail or the delivery status notification mail, converts the extracted information into facsimile data, and edits the converted data. The edited data is transmitted to a G3 facsimile via PSTN.

However, SAITO et al. do not disclose at least a memory which stores reception capabilities regarding a type of facsimile data that the receiving Internet facsimile apparatus can receive, the reception capabilities being distinct from the facsimile data.

SAITO et al. also does not disclose a server apparatus which includes, *inter alia*, a controller configured to receive facsimile data from the transmitting Internet facsimile apparatus, the received facsimile data having been converted into an Internet transmission format, to transform the received facsimile data into a type of facsimile data that the receiving Internet facsimile apparatus can receive, based on the reception capabilities stored in the memory, and to transmit the transformed facsimile data to the receiving Internet facsimile apparatus, the transformed facsimile data having been converted into the Internet transmission format.

In this regard, SAITO et al. teach that “format conversion section 37 converts the received data to facsimile data” and “here, the facsimile data refers to an image file that can be handled by a facsimile apparatus. It is an image compression file such as an MH file” (col. 4, lines 36-42). Thus, SAITO et al. teaches that it is possible to convert the edited data to facsimile data such as an MH file by format conversion section 37 (col. 5, lines 49-57).

However, the above-noted disclosure merely defines what the term “the facsimile data” means. SAITO et al. also merely discloses converting the received data to facsimile data and transmitting the converted facsimile data to a G3 facsimile. In the above description, the receiving facsimile apparatus 16 of SAITO et al. is identified as a conventional G3 facsimile apparatus 16 (Fig. 1). The conventional G3 facsimile apparatus 16 is not connected to IFAX 14 (which the Examiner considers to be the server which includes “memory 22 and 23”) via the Internet as recited in claim 24, but via PSTN 15 (Fig. 1).

Moreover, SAITO et al. contains no disclosure that either the ROM 22, the RAM 23 or any other memory stores "reception capabilities" as recited herein. Rather, the ROM and RAM store program data as set forth at col. 3, lines 57-59.

Thus, SAITO et al. do not disclose a memory configured to store reception capabilities regarding a type of facsimile data that the receiving internet facsimile apparatus can receive, the reception capabilities being distinct from the facsimile data. SAITO et al. also do not disclose a controller configured to receive facsimile data from the transmitting Internet facsimile apparatus, the received facsimile data having been converted into an Internet transmission format, to transform the received facsimile data into a type of facsimile data that the Internet receiving facsimile apparatus can receive, based on the reception capabilities stored in the memory, and to transmit the transformed facsimile data to the receiving Internet facsimile apparatus, the transformed facsimile data having been converted into the Internet transmission format.

Therefore, it is respectfully submitted that the features recited in Applicants' claims 24, 25, 30, 33 and 34 are not disclosed by SAITO et al. cited by the Examiner. Thus, the pending claims are clearly patentable over SAITO et al.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection, and an indication of the allowability of all the claims pending in the present application in due course.

Although the status of the application is after final rejection, Applicants submits that entry of the amendment is proper under 37 C.F.R. § 1.116. In particular, no new issues are being presented and no new claims are being submitted. It is believed that the Examiner has searched and considered the claim limitations as they were

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discussed in the specification. The Examiner is respectfully requested to exercise his discretion in this regard.

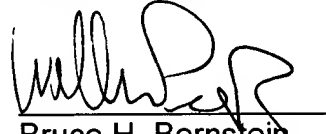
SUMMARY AND CONCLUSION

Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so. Applicants have amended the rejected claims for further consideration by the Examiner. With respect to the pending claims, Applicants have pointed out the features thereof and have contrasted the features of the pending claims with the disclosures of the cited references. Accordingly, Applicants have provided a clear evidentiary basis supporting the patentability of all claims in the present application and respectfully request an indication of the allowability of all the claims pending in the present application in due course.

The amendment to the claims which have been made in this amendment, which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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January 31, 2006
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